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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JUL 14 2005

Applicant : Youssefi, et al.  
 Application No. : 10/519,368  
 Filed : December 23, 2004  
 Title : Myopic Correction Enhancing Biodynamic Ablation  
 Conf. No. : 4779  
 Docket No. : P03149

CERTIFICATE OF MAILING BY TELEFACSIMILE No. of pages: 6

I hereby certify that this correspondence is being sent by telefacsimile to: Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450, at telephone number 703 746 4060, on July 14, 2005.

  
 Suzanne V. Russo

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Mail Stop Missing Parts  
 Commissioner for Patents  
 P. O. Box 1450  
 Alexandria, VA 22313-1450

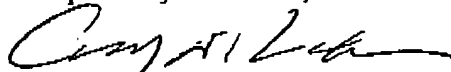
Dear Sir:

This communication is filed in response to the Notification of Missing Requirements dated June 30, 2005, in the above-identified application.

Enclosed is a Declaration and Power of Attorney signed by the named inventor(s). No declaration or oath was filed with this application. This document completes the filing requirements for the above-entitled application.

Please charge \$630.00 (\$130.00 for the late filing of the Declaration and \$500.00 to cover additional claims) to Applicant's Deposit Account No. 02-1425. Please charge any additional fees or credit overpayment to Deposit Account No. 02-1425.

Respectfully submitted,



Craig E. Larson  
 Attorney for Applicant  
 Registration No. 27,917

07/21/2005 GFREY1 00000097 021425 10519368

01 FC:1617 130.00 DA  
 02 FC:1615 500.00 DA

Bausch & Lomb Incorporated  
 One Bausch & Lomb Place  
 Rochester, New York 14604  
 Telephone: 585 338 5528  
 Dated: July 14, 2005



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/519,368	Gerhard Yousssefi	P03149

INTERNATIONAL APPLICATION NO.

PCT/EP03/06778

I.A. FILING DATE

06/26/2003

PRIORITY DATE

06/27/2002

23702

Bausch & Lomb Incorporated  
One Bausch & Lomb Place  
Rochester, NY 14604-2701

CONFIRMATION NO. 4779

371 FORMALITIES LETTER



\*0000000016415509\*

Date Mailed: 06/30/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/23/2004
- Copy of the International Search Report filed on 12/23/2004
- Copy of IPE Report filed on 12/23/2004
- Information Disclosure Statements filed on 02/07/2005
- Oath or Declaration filed on 12/23/2004
- Request for Immediate Examination filed on 12/23/2004
- U.S. Basic National Fees filed on 12/23/2004
- Priority Documents filed on 12/23/2004

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The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$500 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

DOCKETED

JUL 05 2005

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$630** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$ 500**
  - **\$500** for 10 total claims over 20.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/519,368	PCT/EP03/06778	P03149

FORM PCT/DO/EO/905 (371 Formalities Notice)